

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 04-7761**

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In re: JACK DEWHAN RANDOLPH,

Petitioner.

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On Petition for Writ of Mandamus. (CA-03-267)

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Submitted: January 7, 2005

Decided: January 24, 2005

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Before LUTTIG, MICHAEL, and KING, Circuit Judges.

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Petition denied by unpublished per curiam opinion.

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Jack Dewhan Randolph, Petitioner Pro Se.

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Unpublished opinions are not binding precedent in this circuit.  
See Local Rule 36(c).

PER CURIAM:

Jack Dewhan Randolph filed a petition for writ of mandamus alleging undue delay in the district court's ruling on his 28 U.S.C. § 2255 (2000) motion. The district court ruled on the motion on December 17, 2004, after Randolph filed his mandamus petition. Accordingly, the mandamus petition is now moot. Therefore, although we grant Randolph's motion to proceed in forma pauperis, we deny the petition for mandamus relief. We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before the court and argument would not aid the decisional process.

PETITION DENIED